

M. Kramer

1 King?

2 A. Mark Kramer and Robert
3 Rickabaugh.

4 Q. What percentage of the shares of
5 the stock do you own?

6 A. 50 percent.

7 Q. What percentage of the shares of
8 stock does Mr. Rickabaugh own?

9 A. 50 percent.

10 Q. Did you put money into RMK when
11 it started up?

12 A. I'm sure we did.

13 Q. I asked you if you did.

14 A. Yes.

15 Q. How much money did you put into
16 it?

17 A. I don't remember. It was 1987.

18 Q. Do you draw a salary from RMK?

19 A. Did we, yes.

20 Q. What was your salary?

21 A. \$1,000 a week.

22 Q. Does RMK owe you any money?

23 A. I don't know how to answer that.
24 I'm liable for the balance of that debt. I

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1 A. Ever? Before there was a Miss
2 Fonte there was a Florence Hadala.

3 Q. How do you spell that?
4 A. H-A-D-A-L-A.

5 MS. WALL: Is that her
6 predecessor?

7 THE WITNESS: Yes. They were not
8 there at the same time.

9 MR. ROSENTHAL: Okay.

10 BY MR. ROSENTHAL:

11 Q. What exactly did you do for RMK?
12 A. Well, a little bit of everything,
13 estimate; supervise; work with tools,
14 things all along those lines. It could be
15 anything from day-to-day.

16 Q. If there were problems with
17 employees, with, say, union problems or
18 other kind of disciplinary problems, would
19 that be something that you would handle?

20 A. I don't know what you mean by,
21 "disciplinary problems."

22 Q. Who did the hiring?

23 A. It could be myself or my partner.

24 Q. What were Mr. Rickabaugh's

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1 operating?

2 A. Yes.

3 Q. How long before?

4 A. I'm not sure. We would have to
5 look up the records.

6 Q. A year before?

7 A. No, I don't think so. You would
8 have to, also, look up to find out when RMK
9 was not operating.

10 Q. I believe, you said RMK ceased
11 operations some time in the first half of
12 1999?

13 A. As far as actually doing the
14 work, but then the paperwork doesn't stop
15 for quite awhile.

16 Q. So RMK actually did work some
17 time into the beginning part of 1999; is
18 that correct?

19 A. Yes.

20 Q. Was RM King operating at that
21 point in time?

22 A. RM King, I believe, started
23 working, also, in '99. I would have to
24 look up the records and see which months.

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1 they do it in Philadelphia, they have a
2 residential rate. At one point there was a
3 third rate for local tenant fit-up work.

4 Frank Spencer, who was head of
5 the residential local, said that we would
6 use their rates to do tenant fit-up in the
7 two or three county area where they really
8 weren't doing it at the residential rate to
9 do the tenant fit-up work. So this all
10 took a couple of years to reach an
11 agreement that that's what we're going to
12 do.

13 It had to be clear cut that we
14 weren't overlapping. We signed an
15 agreement with them, so we don't have the
16 same problems that we have in
17 Philadelphia. In their jurisdictions they
18 are using union men. RMK Construction was
19 never signed with the carpenters in New
20 Jersey. But RM King from its inception has
21 been signed with the carpenters union in
22 New Jersey.

23 This was the biggest reason not
24 to overlap. Anything from that date we had

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1 to start with union people, a hundred
2 percent union carpenters. They didn't care
3 about the finishers.

4 Q. So RM King started operating once
5 it signed that agreement with the New
6 Jersey carpenters?

7 A. Right.

8 Q. So it didn't operate before that?

9 A. No.

10 Q. RMK had to finish whatever --

11 A. It finished up, yes.

12 Q. If we have the collective
13 bargaining agreement with New Jersey, then
14 that's the date that RM King began
15 operating?

16 A. It would be close. Frank Spencer
17 said we're going to do this job as union
18 men.

19 Q. So whether the agreement was the
20 day before, or a week after, or a week
21 before obviously it would be close?

22 A. Yes.

23 Q. So at that point in time RMK
24 stopped operating?

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1 A. Again, not exactly. We had to
2 finish the work that was already started.

3 Q. And you finished it as RMK?

4 A. Yes.

5 Q. Now, at that point in time when
6 you were still finishing work as RMK and
7 then RM King was starting up who employed
8 Miss Fonte, who was paying her wages?

9 A. Honestly I can't tell you what
10 weeks RMK paid her and what weeks RM King
11 paid her. I'm sure there are payroll
12 records when RMK stopped and RM King
13 stopped that you could see, but where RM
14 King stopped is a little --

15 MS. WALL: You mean RMK?

16 MR. ROSENTHAL: You mean RMK?

17 THE WITNESS: RMK, I'm sorry.

18 BY MR. ROSENTHAL:

19 Q. Did she ever get paid by both
20 companies?

21 A. No.

22 Q. So there's a distinct time period
23 when she begins to be paid by RM King?

24 A. Yes.

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1 would that be you would be the
2 representative of the company that they
3 would deal with?

4 A. Yes.

5 Q. Was it you that would assign the
6 carpenters to the various jobs? Who would
7 make the job assignments that you could go
8 here and you could go there?

9 A. Again, it would be a similar
10 split. And Robert Rickabaugh would
11 generally take care of sheet rockers and
12 tapers for residential type work; and I
13 would generally take care of guys more
14 inclined to do the commercial type stuff,
15 the metal studs, dry wall.

16 Q. It's all dry wall?

17 A. The commercial, there's more than
18 just -- in the commercial end the metal
19 studs somewhere in the past got tied in,
20 so.

21 Q. Does RM King do this
22 residential --

23 MS. WALL: I'm going to object.

24 Don't answer any questions about RM